

### **REMARKS/ARGUMENTS**

Claims 1-10 remain in this application. Claims 1-10 have been rejected.

The Examiner has objected to the Title for not having a meaningful description of the coding process.

With all due respect, applicant has changed the title with the new specification. It is believed that the title is descriptive of the invention.

The Examiner has objected to the specification because the word "terminal" is not used consistently.

Applicant traverses this objection. While the term "terminal" is used in various ways in the disclosure it is believed that the context of each place this term is used makes clear what has been intended. Reconsideration and withdrawal of this objection is requested.

Claims 1, 8 and 9 have been rejected under 35 USC §102(b) as being anticipated by Gersho or Gerson or Lozach.

Reconsideration of this rejection is respectfully requested.

Claims 2-7 are rejected under 35 U.S.C. §103 as being unpatentable over Gersho or Gerson or Lozach.

Claim 10 is rejected under 35 U.S.C. §103 as being unpatentable over Gersho or Gerson or Lozach.

Withdrawal of the §103 rejection is requested.

Applicant disagrees with the Examiner's analysis of the cited art.

Gersho teaches an algorithm (multistage VQ) for coding vocal speech at a variable rate in a simpler way, by progressively (stage by stage) adapting (by using a second stage of coding) the

coding if the distortion incurred by a first stage is too high compared to a threshold (bottom of page 639).

The examiner is incorrect when he considers that a distortion is a difference. It is quite different. The work distortion is well explained at the bottom of page 324 and top of page 325 of the Gersho document.

It is clearly used to guide the encoder, and not to serve as information to be coded as the differences are in pending claim 1.

Moreover, in Gersho, if the distortion does not exceed the threshold, the second stage of higher rate coding is not used, and if it exceeds the threshold, a higher coding is used, replacing the previous lower rate coding (nowhere is it said that the distortion is coded and would it be, it could not play the same role as the differences of pending claim 1).

So there is only one coded word, this being the contrary of what is taught in claim 1 of the pending application, where the difference is coded as a secondary code.

Gerson teaches an algorithm for reducing the process complexity of codebook search, using a linear predictive coding (col. 2, lines 35-41).

The process of claim 1 is not a search process and the coding of claim 1 is not a predictive coding. In fig. 3 (col. 6, lines 32-34) the so-called AFLAT algorithm is described in the context of multisegment vector usage.

The word multisegment is clearly explained column 2, lines 2-4 as being parameter vectors of LPC (linear predictive coding, col. 1, line 43), which means that these multisegment vectors are not information to be coded to form code words for transmission (as in claim 1) but parameters for setting the LPC algorithm.

Lozach also teaches the use of a multistage codebook method for speech coding with LPC, so it does not anticipate claim 1 of the pending application for the same reason. In figure 10, two ways of interpreting two coded words can be distinguished, different stages and different indices I and j.

The former give different dictionaries for which nothing is told about the structure of included or resulting codings. The latter are indices representing the coded speech signal for progressive modeling 16 and long term prediction circuit 13 (col. 5, lines 61-67) and are not simultaneously used at the same time to form two coded words as in claim 1.

For the above reasons, applicant urges that the instance claims are neither anticipated nor obviated by the references cited by the Examiner. Reconsideration and withdrawal of the §102 and §103 rejections of applicant's claims is respectfully requested.

It is believed that all claims are in condition for allowance. Early and favorable action by the Examiner is earnestly solicited.

### AUTHORIZATION

If the Examiner believes that issues may be resolved by telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 801-2146. The undersigned may also be contacted by e-mail at [ecr@gtlaw.com](mailto:ecr@gtlaw.com).

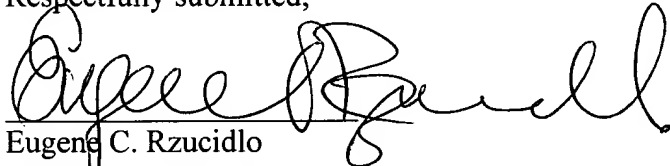
No additional fee is believed to be necessary. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-1561.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-1561.

Respectfully submitted,

Dated: June 2, 2004

By:



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